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be used as food shall be exposed or displayed in any street or way, or in front of any place of business, unless the bottom of the box or other receptacle containing such articles is raised at least 24 inches above the sidewalk, platform, or landing upon which such receptacle rests.

SEC. 32. Meats or other products, named in section 31, shall not be carried through any street, private way, or public place unless properly protected or screened from dust and flies. Every person being the occupant or lessee of any room, stall, building, or place where any meat, poultry, game, fish, sea food, milk, vegetables, butter, fruit, confectionery, baker's products, or other articles intended for human food shall be kept, stored, sold, or offered for sale, shall maintain such room, stall, building, or place and its appurtenances in a clean and wholesome condition. Every peddler of food-stuffs from wagons or carts, in addition to the covering or screen provided for in this regulation, shall keep in his wagon or cart a suitable receptacle for the wastes of his business, such wastes to be disposed of in a manner that shall not create a nuisance.

SEC. 33. No person or corporation, individually or by his agents, servants, or employees, shall transport meat or poultry of any description through the public streets or ways of the city of Albuquerque except in wagons or vehicles which have been thoroughly washed at least once in every 24 hours. All bakery products shall be wrapped in clean wrapping paper at the bakery before it is to be transported through the streets, by some one dressed in a clean white uniform, with clean hands.

Ice Cream—Manufacture, Care, and Sale. (Ord. Aug. 7, 1913.)

SEC. 34. No person shall sell or offer for sale in the city of Albuquerque ice cream or preparation similar thereto, until the place of manufacture of the same, the utensils and receptacles used, and the wagon or other means of carrying the same shall have been examined by the inspector of the board of health. Such inspector, when satisfied as to the cleanliness of all articles used, shall provide such person with his certificate to that effect. The board of health shall examine all articles used in the business as often as they may deem necessary, and whenever an inspector shall certify that proper cleanliness is not observed, either in the place of manufacture, in the implements, materials, or manner of making ice cream, etc., or in the manner of carrying or selling the same, no further sales of such ice cream shall be allowed until the objectionable features are removed and the inspector so certifies.

SEC. 35. Any person violating any of the provisions of sections 30, 31, 32, 33, or 34 of this ordinance shall, upon conviction before the police magistrate, be subject to a fine of not less than \$5 nor more than \$100, or imprisonment for not less than 5 days nor more than 90 days, or both such fine and imprisonment at the discretion of the police magistrate.

Manure—Care of. (Ord. Aug. 7, 1913.)

SEC. 36. No person, persons, partnership, or corporation shall deposit, place, permit, or allow to be deposited or placed any manure or barn cleanings of any kind or description for a longer period than 48 hours upon any premises within the city of Albuquerque, except as herein provided. All manure or barn cleanings of any kind or description shall be kept and placed in boxes or bins which shall be closed and absolutely fly proof and approved by the city health officer or board of health, and no such bin or box shall be built, kept, or maintained nearer to any adjoining house than 25 feet, and then the contents thereof shall be removed and the said box or bin thoroughly cleaned at least once every 30 days during the months of April, May, June, July, August, September, and October, and oftener if the city health officer shall so direct and order.

The above provisions shall not apply to manure used for agricultural or gardening purposes provided the same shall be spread upon the premises not to exceed 6 inches

in depth. Manure for gardening or agricultural purposes may be stored unscreened, but **not nearer than 150 feet** from any dwelling house. It shall be the duty of the health officer or the chief of police of said city to notify any person, persons, partnership, or corporation who shall deposit or place, or allow to remain or be deposited or placed, any manure or barn cleanings, or who shall build, keep, or maintain or allow or permit to be built, kept, or maintained, any bin or other place for holding manure contrary to the provisions of this ordinance to remove said manure or barn cleanings or the contents of said box or bin within 48 hours, and if not removed within said time after the service of such notice upon such person, persons, partnership, or corporation, it shall be the duty of the health officer to cause the removal of such manure or barn cleanings at the expense of the party keeping or allowing the same to remain contrary to the provisions of this ordinance, and the costs and expense of such removal may be recovered by the city in an action of assumpsit against said person, persons, partnership, or corporation in any court of competent jurisdiction, in addition to the other penalty herein provided.

SEC. 37. Any person, persons, partnership, or corporation who shall violate the provisions of section 36 of this ordinance shall be punished by a fine of not less than \$5 and not exceeding \$50 and cost of prosecution for every separate day upon which such manure or barn cleanings shall be allowed to remain upon the premises after the expiration of the time provided in this section.

Milk and Milk Products—Production, Care, and Sale. (Ord. Aug. 7, 1913.)

SEC. 38. It shall be unlawful for any person to sell, dispose of, or to offer or keep for sale as human food, any milk within the city of Albuquerque without first obtaining a permit therefor in accordance with the provisions of this ordinance.

SEC. 39. Any person desiring a permit pursuant to this ordinance shall first make a written application therefor to the board of health, stating the following facts:

- (a) The name and place of residence or business of the applicant.
- (b) Whether said applicant is a producer of milk.
- (c) The exact location of the dairy and herd which produces the milk.
- (d) The number of cows in each dairy herd.
- (e) If this applicant is not a producer of milk, the name of each person from whom he obtains or is about to obtain milk, the location of each dairy, and the number of cows in each herd from which the milk is obtained.

(f) That the applicant will permit the board of health or any one authorized by said board of the city of Albuquerque, prior to the issuance of a permit, to inspect in accordance with this ordinance his dairy and herd, and that he will permit such inspection at any time thereafter. If the applicant is not a producer of milk, or if he sells or is about to sell milk not produced by his own cows, his application must be accompanied by a written statement from the owner of each dairy or herd where such milk is produced to the effect that such owner will consent to an inspection by the board of health or any one so authorized, prior to the issuance of any permit for the sale of milk in the city of Albuquerque from such herd or dairy, and that he will permit such inspection to be made at any time thereafter.

(g) If the dairy or herd of the applicant, or the dairy or herd from which he obtains or is about to obtain milk for sale in the city of Albuquerque, shall have been inspected by an inspector employed by or under the authority of the State of New Mexico, or of the State wherein such milk is produced, or of the United States, or by an inspector working under the direction of or in cooperation with the board of health of the city of Albuquerque, the applicant should state that fact in his application, and present his papers if he has any from the State or United States inspector.

SEC. 40. Upon the filing of such application, the board of health shall cause the dairy and herd of the applicant or the person from whom he obtains his milk, to be